

REMARKS

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 12-23 were pending in this application when last examined.

Claims 12-16 and 23 were examined on the merits and stand rejected.

Claims 17-22 were withdrawn as non-elected subject matter.

Claim 12 is amended.

Claims 12-23 are pending. Claims 12-16 and 23 are under examination.

No new matter has been added.

On pages 5-10 of the Office Action, claims 12-16 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Moriya (1993) (of record) in view of Zarling et al. (US2004/0019916) (of record). Applicants respectfully traverse this rejection.

Claim 12 has been amended without prejudice to recite that the single-stranded DNA fragment is homologous with a sense strand of the target DNA sequence. The invention of the amended claim is clearly not rendered obvious by the cited references. As demonstrated in the specification, the claimed invention has a superior conversion efficiency that is not taught or suggested by Moriya in view of Zarling et al.

In particular, the superior effect of the sense stranded DNA is clearly shown in the Example on pages 15-24 of the specification, in which the following three kinds DNA fragments are tested:

- (1) a combination of a sense DNA and an antisense DNA (dsHES), which is obtained by denaturizing a double stranded DNA;
- (2) a sense DNA (fSense); and
- (3) an antisense DNA (fAntiS).

On page 24, “(2-2) Gene correction reaction”, it is described that the CONVERSION efficiencies of:

- i) dsHES is 0.43%;
- ii) fAntiS is 0.15%; and
- iii) fSense is 2.0%.

Further, on page 25, "Comparative example", it is described that the conversion efficiency of a PCR product (pcrHES), which is an equivalent of Zarling et al. is 0.16, which is not more than one-tenth that of fSense (2.0%).

Thus, the conversion efficiency of the claimed invention is more than tenfold greater than the conversion efficiency in Zarling et al. Moriya fails to remedy this deficiency in Zarling et al.

Thus, for the above-noted reasons, this rejection is untenable and should be withdrawn.

In view of the foregoing amendments and remarks, the present application is in condition for allowance and early notice to that effect is hereby requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

Respectfully submitted,

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